

AMENDED IN ASSEMBLY APRIL 30, 2009

AMENDED IN ASSEMBLY APRIL 20, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

## ASSEMBLY BILL

**No. 1005**

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**Introduced by Assembly Member Block**

February 27, 2009

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An act to add Sections 5017.1, 5017.5, and 5103.5 to the Business and Professions Code, relating to accountants.

### LEGISLATIVE COUNSEL'S DIGEST

AB 1005, as amended, Block. California Board of Accountancy.

Existing law provides for the licensure and regulation of accountants by the California Board of Accountancy. Existing law sets forth the duties of the board in that regard, and requires all board meetings to be open and public. Existing law authorizes the board to receive and investigate complaints against an accountant licensee or any person acting as an accountant without a license.

This bill would require the board to post the *finalized* minutes from ~~these open and public~~ *those* board meetings on its Internet Web site *within a specified time period*. The bill would *also* require the board to provide a live *audio or video* broadcast, on its Internet Web site, of its board meetings ~~that are open and public~~. ~~The bill and would also specify~~ that a technical failure prohibiting a live broadcast would not prohibit the board from meeting and taking actions. *The bill would require the posted minutes and broadcasts or a link to the minutes or broadcasts to remain on the Internet Web site for at least 3 years*. The bill would also require the board to post on its Internet Web site *notice of* all formal accusations filed by the board against a licensee, as specified.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     ~~SEC. 2.~~

2     SECTION 1. Section 5017.1 is added to the Business and  
3 Professions Code, to read:

4     5017.1. The board shall post ~~the~~ , *within 10 days of board*  
5 *approval, the finalized* minutes from meetings of the board that  
6 are open and public pursuant to Section 5017 on the board's  
7 Internet Web site. *The minutes shall remain on the board's Internet*  
8 *Web site for at least three years. Providing a link on the Internet*  
9 *Web site to the minutes shall satisfy this requirement.*

10    SEC. 2. Section 5017.5 is added to the Business and Professions  
11 Code, to read:

12    5017.5. (a) The board shall provide a live *audio or video*  
13 broadcast, on its Internet Web site, of each of its board meetings  
14 that are open and public.

15    (b) (1) If technical failure prevents the board from providing a  
16 live broadcast as specified in subdivision (a), that failure shall not  
17 constitute a violation of this section if the board exercised  
18 reasonable diligence in providing a live broadcast.

19    (2) Failure to provide a live broadcast of its board meetings due  
20 to technical failure shall not prohibit the board from meeting and  
21 taking actions. ~~The minutes from these meetings without a live~~  
22 ~~broadcast shall be posted on the board's Internet Web site pursuant~~  
23 ~~to Section 5017.1.~~

24    (c) *The recording of the live audio or video broadcast shall*  
25 *remain on the Internet Web site for at least three years. Providing*  
26 *a link on the Internet Web site to the recording of the live audio*  
27 *or video broadcast shall satisfy this requirement.*

28    SEC. 3. Section 5103.5 is added to the Business and Professions  
29 Code, to read:

30    5103.5. The board shall post on its Internet Web site, in an  
31 easily marked and identifiable location, *notice of* all formal  
32 accusations. *The notice of any formal accusation shall contain a*  
33 *link to where a consumer can request and have sent to him or her*  
34 *a copy of the formal accusation* , including the basis for the

- 1 accusation and alleged violations filed by the board against a
- 2 licensee.

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